

*City of Las Vegas*

**AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: NOVEMBER 29, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-24787 - APPLICANT: SARANN KNIGHT, LLC - OWNER:  
CDPCN, LLC

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION:** APPROVAL.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Rezoning from R-3 (Medium Density Residential) to R-5 (Apartment) on 6.04 acres at 900 Monroe Avenue. The project site currently consists of one developed parcel containing multiple multi-family residential buildings, two of which are to be retained and the rest to be demolished and replaced by a new site layout and one new building now, with another planned for the future.

The proposed rezoning to the R-5 (Apartment) zoning district is consistent with the proposed General Plan Amendment (GPA-24484) to an H (High Density Residential) General Plan designation. The proposed redevelopment of this site and increase in available affordable housing units are appropriate for an R-5 (Apartment) zoning district and approval of this rezoning request is recommended.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
02/15/63	The Board of City Commissioners approved a Rezoning (Z-0009-63) to R-3 (Medium Density Residential) on the subject property.
03/12/99	The Board of Zoning Adjustment approved a Variance (V-0006-99) to allow an eight-foot wrought iron fence where four feet in the front yard area and six feet in the side and rear yards is the maximum allowed on 6.04 acres at 900 West Monroe Avenue. Staff recommended approval.
07/12/99	The City Council approved a Special Use Permit (U-0065-99) for a Child Care Center at 908 West Monroe Avenue on the subject site, subject to expiration in one year. The Planning Commission and staff recommended approval.
09/20/00	The City Council approved an Extension of Time [U-0065-99(1)] of an approved Special Use Permit (U-0065-99) for a Child Care Center, subject to expire 07/12/02. The use has expired, as there have been no licenses for a Child Care Center active within the last year associated with the property. The Planning Commission and staff recommended approval.
11/29/07	Companion items for a General Plan Amendment (GPA-24484) and a Site Development Plan Review (SDR-24788) will be heard concurrently.
<b><i>Related Building Permits/Business Licenses</i></b>	
07/02/98	A business license, A07-01312, for an Apartment House category license was processed in by the Department of Finance and Business Services. This license was issued on 07/13/98 and was reissued on 03/14/02. A Cease and Desist order was issued 08/15/07 and the license was marked as expired as of 10/15/07.

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<b><i>Pre-Application Meeting</i></b>	
08/31/07	A pre-application meeting was held and application requirements for a General Plan Amendment, Rezoning and Site Development Plan Review were discussed. The applicant stated that at least 32 units must be retained per agreement with the Department of Housing and Urban Development. A total of 100 units currently exist. Proposed building height is four stories and 40 feet, which the R-5 District supports. It was discussed that a waiver of the Residential Adjacency Standards may be requested with the Site Development Plan Review, if necessary.
<b><i>Neighborhood Meeting</i></b>	
09/25/07	<p>A neighborhood meeting was held in the clubhouse at the David J. Apartments, 1100 West Monroe Avenue. Three applicant representatives, two members of City staff and five members of the public attended.</p> <p>The applicant presented an overview of the proposed project:</p> <ul style="list-style-type: none"> <li>• Neighborhood Services Department (HOME CDBG) money in this project</li> <li>• Partially existing, most new development</li> <li>• Two buildings on the south remain</li> <li>• New 4-story planned on north side of the site</li> <li>• Nine of \$13 million is in tax credits</li> <li>• Security cameras on each floor and in elevators</li> <li>• Will have security gates, wrought iron</li> <li>• Entrance on H Street; exit-only on Monroe</li> <li>• No pedestrian access to commercial lot on north</li> <li>• Existing Emerald Breeze 32 units will remain, this phase 82 units, then more on Phase 3 (approximately 36 units)</li> </ul> <p>Neighbor concerns included the following:</p> <ul style="list-style-type: none"> <li>• Is the City taking private property?</li> <li>• Questions regarding city Office of Business Development requests for development</li> <li>• 4 stories may be too high</li> <li>• Two-bedroom, 850 square foot units is small</li> <li>• Southern windows on second story should be glass block or clerestory</li> <li>• All senior units would be better</li> <li>• Balconies are a concern</li> <li>• Want Monroe Avenue access closed</li> </ul>

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<b>Field Check</b>	
09/18/07	The Department of Planning and Development conducted a site visit that found that this site consists of a boarded-up two-story apartment complex with multiple buildings. There is a line of mature Mulberry trees along Monroe Avenue. Some are inside a tall wrought iron fence, some outside. Turf on the outside of the fence is dead or dying. Parking is located on the inside of the complex along H Street and along the rear of the property. A power line runs along Monroe next to the sidewalk. Houses along the south side of Monroe are in poor condition. The development is located south of Edmond Town Center.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	6.04

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Multi-family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
North	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
South	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Public Park	PF (Public Facilities)	C-V (Civic)
East	Undeveloped	MXU (Mixed Use)	R-3 (Medium Density Residential)
West	Senior Citizen Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>			
West Las Vegas Plan	X		Y
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District (140 Feet)	X		Y
<b>Trails</b>		X	n/a
<b>Rural Preservation Overlay District</b>		X	n/a
<b>Development Impact Notification Assessment</b>		X	n/a
<b>Project of Regional Significance</b>		X	n/a

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**DEVELOPMENT STANDARDS**

*Pursuant to Title 19.08, the following development standards apply:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	7,000 SF	262,116 SF	Y
Min. Lot Width	n/a	394 Feet	n/a
Min. Setbacks			
• Front	10 Feet	> 10 Feet	Y
• Side	5 Feet	> 5 Feet	Y
• Corner	5 Feet	> 5 Feet	Y
• Rear	20 Feet	> 20 Feet	Y
Min. Distance Between Buildings	Unlimited	> 10 Feet	Y
Max. Lot Coverage	n/a	Not Indicated	n/a
Max. Building Height	5 Stories / 55 Feet	4 Stories / 54 Feet	Y
Trash Enclosure	Covered and Gated	Covered and Gated	Y
Mech. Equipment	Screened	Enclosed	Y

<b>Existing Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-3 (Medium Density Residential)	25 Units per Acre	151 Units @ 6.04 Acres  Existing: 100 Units
<b>Proposed Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-5 (Apartment)	Unlimited	Limited only by various development standards  Proposed: 150 Units (at final build out)
<b>General Plan</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
M (Medium Density Residential)	25 Units per Acre	151 Units @ 6.04 Acres
Proposed: H (High Density Residential)	Proposed: >25.5 Units per Acre	Proposed: Limited only by various development standards

**ANALYSIS**

The subject site is located within the boundaries of the Southeast Sector Plan of the General Plan and is designated as M (Medium Density Residential). A General Plan Amendment (GPA-24484), if approved, would change the designation to H (High Density Residential). The proposed H (High Density Residential) designation allows development such as multi-family -plexes, townhouses, high-density apartments, and high-rise residential. This category allows 25.5 or more units per acre.

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The proposed use is compatible with this proposed land use designation and the neighboring zoning districts, which are intended for higher intensity residential and commercial uses.

This Rezoning proposes to change the zoning of the subject site from the current R-3 (Medium Density Residential) to an R-5 (Apartment) zoning district. The existing and proposed multi-family residential uses are permissible in the proposed R-5 (Apartment) zoning district which is compatible with the proposed H (High Density Residential) General Plan designation.

The site is within the North Las Vegas Airport Overlay Map portion of the A-O (Airport Overlay) District. The proposed new building will be 54 feet high. This site has an overlay height limitation of 140 feet and is in conformance with Title 19.06.080.

The subject parcel is within the West Las Vegas Neighborhood Plan boundaries. The West Las Vegas Plan - Existing Land Use Category Map (Map 5) designates this location for Apartment uses with a Medium Density Residential use designation (having a gross density of 12.1 to 25 units per acre) on the Current Land Use Categories Map (Map 14). The proposed project is consistent with the goals and objectives of the West Las Vegas Neighborhood Plan as it is intended to provide for the redevelopment of existing residential property that is anticipated to enhance the existing residential area as outlined in the Land Use Plan Strategies section of the plan.

The project proposed for this site would remove 68 of the existing 100 multi-family residential units and construct 118 new units over time (82 units at this stage) for a total of 150 units. The resulting density is 24.8 dwelling units per acre, which remains in conformance with the existing R-3 (Medium Density Residential) zoning district. However, the applicant is proposing a four-story, 54-foot high building as part of the new construction and the R-3 (Medium Density Residential) zoning district only allows a maximum of two stories or 35 feet, whichever is less. A change to an R-5 (Apartment) zoning district would allow the lesser of five stories or 55 feet as the maximum height and would allow the proposed project to conform to the zoning requirements.

This rezoning has been submitted in conjunction with applications for a General Plan Amendment (GPA-24484) to change the land use designation to H (High Density Residential) and Site Development Plan Review (SDR-24788) to site a proposed four-story, 82-unit multi-family residential building, retain two existing multi-family residential buildings and indicate the location of a future building on the site.

The proposed rezoning is in conformance with the site's proposed general plan designation and is appropriate for the development as proposed. This rezoning is required to allow the proposed height and is consistent with the increase in site density projected by this project and staff is in support of this rezoning request.

**FINDINGS**

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

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**1. “The proposal conforms to the General Plan.”**

Provided that the proposed General Plan Amendment (GPA-24484) is approved, then the proposed rezoning would conform to the General Plan. The site’s existing and proposed buildings can accommodate the range of uses identified and are in compliance with the proposed H (High Density Residential) General Plan category.

**2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The proposed rezoning will be compatible with the residential and commercial developments in this area. The subject parcel is located in a fully developed area on a site containing eight existing multi-family residential buildings and a rental office. The parcel to the west contains multi-family residential buildings and is designated M (Medium Density Residential) in the General Plan. Parcels to the north and east are within the Downtown Redevelopment Area and designated C (Commercial) and MXU (Mixed Use) allowing for a range of residential and commercial uses. The existing public park to the east of the site is designated PF (Public Facilities). Parcels to the south are designated for low density residential uses.

**3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

Growth and development factors indicate a need for housing options of this character to locate in this area. This is an existing multi-family residential site that will be redeveloped with an increased capacity and improved amenities for the residents of the upgraded multi-family residential complex. Given the proposed General Plan designation of H (High Density Residential) for the subject site, the rezoning to an R-5 (Apartment) zoning district is appropriate for the area.

**4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

H Street will be the principal vehicular access point for the development, utilizing two drive aisles. These access points are adequate to meet the requirements of the proposed zone change. Further, the site has access to public transportation, which may assist in reducing the number of vehicle trips generated by the developments.

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**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 20

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 3

**NOTICES MAILED** 251

**APPROVALS** 0

**PROTESTS** 8